



04-0-0987

AN ORDINANCE

BY TRANSPORTATION COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION, ON BEHALF OF THE CITY OF ATLANTA, FOR THE EXCHANGE OF PROPERTIES AND THE GRANTING OF CERTAIN AIR RIGHTS EASEMENTS IN CONJUNCTION WITH THE CONSTRUCTION OF RUNWAY 10-28 AND TAXIWAY "U" OVER INTERSTATE 285 IN CLAYTON COUNTY, GEORGIA.

WHEREAS, the Georgia Department of Transportation and the City of Atlanta declared their intent to cooperate with one another to implement the Hartsfield-Jackson Atlanta International Airport Master Plan, and memorialized their intent to cooperate in an Agreement, dated August 30, 2002; and

WHEREAS, the Agreement contemplated the further execution between the parties of subsequent Memoranda of Understanding, Agreements or other necessary documents to implement portions of the Master Plan; and

WHEREAS, the Georgia Department of Transportation and the City of Atlanta now desire to set forth their mutual understandings concerning the implementation of a portion of the Master Plan which requires the transfer of property as well as air rights; and

WHEREAS, the Georgia Department of Transportation requires the transfer of a right of way from the City of Atlanta to provide ownership of all roadway cells for the Runway 10-28 and Taxiway "U" Bridge Structure; and

WHEREAS, the Georgia Department of Transportation, in exchange for the City's conveyance to it, will grant to the City of Atlanta a perpetual air rights easement to cross the runway and taxiway "U" over the Interstate 285 right of way; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or her designee be and hereby is authorized to enter into appropriate agreements, easements and other documents with Georgia Department of Transportation, on behalf of the City of Atlanta, regarding: [i] the transfer by the City to the Georgia Department of Transportation of a certain right of way to provide ownership of all roadway cells for the Runway 10-28 and Taxiway "U" Bridge Structure; [ii] the grant by the Georgia Department of Transportation of certain air rights easements to the City to support the operation of Runway 10-28 and Taxiway "U" in conjunction with the construction of Runway 10-28 and Taxiway "U" over Interstate 285 in Clayton County, Georgia.

BE IT FURTHER ORDAINED, that the City Attorney is directed to prepare appropriate documents necessary to consummate the transactions contemplated by this Resolution for execution by the Mayor.

BE IT FINALLY ORDAINED, that the documents prepared by the City Attorney to consummate the transactions contemplated by this Resolution will not become binding on the City and the City will incur no liability under them until they have been executed by the Georgia Department of Transportation and the Mayor, attested to by the Municipal Clerk and delivered to the Georgia Department of Transportation.

A true copy

Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

June 21, 2004
June 24, 2004

RCS# 5810
6/21/04
1:50 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG 1-15 EXCEPT 04-O-1110 -1098
 O-1100 O-1109 O-1104 R-1145 R-1144
 ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 2

Y Smith	Y Winslow	Y Shook	Y Martin	Y Mitchell
Y Starnes	Y Archibong	Y Muller	Y Maddox	Y Norwood
Y Young	Y Fauver	Y Moore	B Mosley	B Willis

CONSENT I

6-21-04 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1016 2. 04-O-1009 3. 04-O-1117 4. 04-O-0795 5. 04-O-0919 6. 04-O-0914 7. 04-O-1064 8. 04-O-1101 9. 04-O-1118 10. 04-O-0987 11. 04-O-0990 12. 04-O-1116 13. 04-O-0662 14. 04-O-0663 15. 04-O-0664 16. 04-O-1018 17. 04-O-1106 18. 04-O-1112 19. 04-O-1113 20. 04-O-1119 21. 04-O-0785 22. 04-O-1007 23. 04-O-1103 24. 04-R-1022 25. 04-R-1043 26. 04-R-1047 27. 04-R-1020 28. 04-R-1035 29. 04-R-1051 30. 04-R-1052 31. 04-R-1053 32. 04-R-1111 33. 04-R-1056 34. 04-R-1107 35. 04-R-1088 36. 04-R-1092 37. 04-R-1093 38. 04-R-1094 39. 04-R-1095 40. 04-R-1096	41. 04-R-1066 42. 04-R-1067 43. 04-R-1068 44. 04-R-1069 45. 04-R-1070 46. 04-R-1071 47. 04-R-1072 48. 04-R-1073 49. 04-R-1074 50. 04-R-1075 51. 04-R-1076 52. 04-R-1077 53. 04-R-1078 54. 04-R-1079 55. 04-R-1080 56. 04-R-1081 57. 04-R-1082 58. 04-R-1083 59. 04-R-1084 60. 04-R-1085 61. 04-R-1086 62. 04-R-1087 63. 04-R-1089 64. 04-R-1090 65. 04-R-1091

04-0-0987

(Do Not Write Above This Line)

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ADOPTED BY

JUN 2 1 2004

COUNCIL

- ☒ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 6-7-2004
Referred To: Transportation
Date Referred
Referred To:
Date Referred
Referred To:

First Reading

Committee TRANSPORTATION

Date 6/2/04

Chair Gloria A. Miller

Referred To TRANSPORTATION

Committee TRANSPORTATION

Date 6/16/04

Chair Gloria A. Miller

Action
Fav, Adv, Hold (see rev. side)
Other

Members
David Miller
David Miller
C. T. Miller

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
JUN 2 1 2004
COUNCIL PRESIDENT PROTEM

CERTIFIED
JUN 2 1 2004
Randy Doughton
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
JUN 2 4 2004
MAYOR